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May 1, 2024

**VIA ECF**

Honorable Paul G. Gardephe  
United States District Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Room 2104  
New York, NY 10007

Re: *Emigrant Bank, et al. v. SunTrust Bank, et al.*, No. 1:20-cv-02391-PGG-OTW

Dear Judge Gardephe:

We represent Plaintiffs Emigrant Bank and Pacific Mercantile Bank (“Plaintiffs”) in the above-captioned litigation. Pursuant to Rule IV.H of Your Honor’s Individual Rules of Practice in Civil Cases, we write to respectfully inform the Court that Plaintiffs currently have two objections to rulings on discovery motions that have been pending before the Court for more than 90 days.

Specifically: (1) Plaintiffs’ Objection to Magistrate Judge Wang’s Order dated October 30, 2023 has been fully briefed since November 13, 2023 (*see* ECF No. 132); and (2) Plaintiffs’ Objection to Magistrate Judge Wang’s Order dated November 13, 2023 has been fully briefed since December 20, 2023 (*see* ECF Nos. 138, 139, 144).

The Court’s rulings on these objections will help ensure an efficient and orderly management of this case, as the discovery rulings at issue implicate one of SunTrust’s key defenses. *See* ECF Nos. 138 at 13-21, 157 at 2-3. Moreover, Magistrate Judge Wang recently issued further discovery rulings on April 11, 2024, based expressly upon the reasoning in her November 13 Order. ECF. No. 170-1 at 19:04-06 (“For the reasons stated in my opinion and

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order, ECF 131, those subpoenas are quashed.”). Therefore, the Court’s ruling on the prior objections will inform the Court’s ruling on Plaintiffs’ objection to the April 11 order.

Plaintiffs appreciate the Court’s attention to this matter.

Respectfully submitted,

/s/ Corey Worcester

Corey Worcester